

**FILED**

APR 19 2018

CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
BY \_\_\_\_\_ DEPUTY

United States District Court  
Western District of Texas  
Austin Division

United States of America     )  
Plaintiff/Respondent         )  
                                  )  
Vs.                             )  
                                  )  
George Lewis Escamilla, Sr.   )  
Defendant/Petitioner         )

Case No. A-08-CR 337(1)LY

**Motion for Compassionate Release and/or Reduction  
in Sentence Program Under 18 U.S.C. Section 3582(c) (1) (A)**

Comes now, George L. Escamilla, Sr., Petitioner, acting in pro/se  
in the above cause numbered and would show the court as follows:

**Jurisdiction**

Jurisdiction is vested in the governing authorities of the B.O.P.  
program statement (5050.49) 18 U.S.C. Section 3582(c) (1) (A) and  
U.S.S.G. Amendment No. 799.

**Procedural History**

On 05/13/2008, petitioner was charged by indictment with  
possession W.I.D., 5kgs or more of cocaine. Violation: 21 U.S.C.  
Section 841(a) (1) (b) (1) (A). On         /2009 petitioner plead guilty  
to the indictment. On 06/11/2009, defendant was sentenced to a  
240 months term of imprisonment. New sentence imposed 192 months.

**Statement of the Issues**

- I Petitioner Respectfully Requests Consideration Based on an  
Incurable Progressive Illness and who has Suffered a  
Debilitating Injury From Which he will not Recover
- II Petitioner Respectfully Requires Consideration Based on a

**Non-Medical Circumstance for Elderly Inmates who are 65 Years or Older**

**Argument Issue No. 1**

**I Petitioner Respectfully Requests Consideration Based on an Incurable Progressive Illness and who has Suffered a Debilitating Injury From Which he will not Recover**

Petitioner respectfully submits the following factors and evaluation of circumstances in support for a compassionate release, or reduction in sentence pursuant to 18 U.S.C. Section 3582(c)(1)(A), U.S.S.G. Section 1B1.13, and Amendment No. 799.

Petitioner respectfully requests a reduction in sentence based on incurable progressive illness and a debilitating injury from which he will not recover. In support of my requests, I pray that you will consider the following medical conditions.

1) I am 65 years old. Three years ago I suffered a debilitating injury during a Black Heel Illness, which caused me to have my right leg amputated above the knee and having previously had my left leg amputated below the knee. This classified me as a T3 paraplegic.

2) I am 100% disabled and rely on the compassion of other inmates to assist me in most of my daily activities.

3) Self care is extremely difficult for me and I am confined to my wheelchair 100% of my waking hours. Moreover, my quality of life is dramatically diminished, and the cost of care is enormous to the BOP compared to ambulatory and non-debilitated inmates.

Petitioner respectfully submits that he was convicted in 2009 of

a non-violent crime, and he does not pose any harm to the community or any concern of being a threat to society.

**Argument Issue No. 2**

**II Petitioner Respectfully Requires Consideration Based on a Non-Medical Circumstance for Elderly Inmates who are 65 Years or Older**

Petitioner's request is based pursuant to program statement Section 571.61(4)(b) elderly inmate with medical conditions.

- 1) I am 65 years of age, having been born on 06/20/1952, in Junction, Texas.
- 2) I suffer from a chronic/serious medical condition, which is also related to the aging process.
- 3) I have experienced a deteriorating physical/health condition, Black Heel Illness, which is due to both knees having been amputated about the knee. This substantially diminishes my ability to function properly in a correctional facility.
- 4) Conventional treatment promises no substantial improvements to my physical/health condition.
- 5) I have served 10 years of the 20 year sentence imposed. This equates to 60% of my term completed. This qualifies me for eligibility since I have served over 10 years of my sentence.

If approved for compassionate release/reduction in sentence I will reside at: 901 Cactus Drive, Austin, Texas 78681 which is my son's, Michael Escamilla, home residence. I will be able to take care of my financial needs by and through my family's support.

If released I will obtain medical insurance so that my medical needs are met. I have finances available to me which are in savings, and if the need arises my family members will assist me whatever needs I lack. Wherein, all my needs both medical and otherwise will be paid without public assistance.

I have programmed while incarcerated to the best of my ability, and which I've been able to due to my medical conditions and age. I declare under penalty of perjury that all the information contained herein is true and correct to the best of my knowledge and belief.

Signed this \_\_\_\_ day of \_\_\_\_\_ 2018

George Lewis Escamilla, Sr. #43385-080

#### Conclusion

In 2016, the United States Sentencing Commission provided Amendment No. 799 to the United States Sentencing Guidelines whereby expanding the criteria for eligibility for compassionate release under Title 18 U.S.C. Section 3582(c)(1). For the non-terminal medical category, the amendment provides criteria to include defendants who are: inter alia, suffering from a serious condition, or suffering from a serious functional or cognitive impairment. Which these fore mentioned medical conditions substantially diminish the defendant's ability to provide self care within a correctional facility, and from which her is not expected to recover. Petitioner respectfully submits that he fits

squarely into both of these categories. The amendment states that the second prong is intended to include a wide variety of permanent, serious impairments and disabilities, whether functional or cognitive, that make life in prison overly difficult for certain inmates, like me. Wherefore, petitioner prays that the honorable court grant the relief sought based on good cause showing, and order the government to show cause.

Date \_\_\_\_\_

Respectfully Submitted,

George Lewis Escamilla, Sr. #43385-080  
Federal Medical Center  
P.O. Box 15330  
Fort Worth, Texas 76119

Certificate of Service

I certify that a true and correct copy of the foregoing motion was sent on this \_\_\_\_ day of April, 2018. As proof of service, by U.S. mail, postage prepaid, first class,

To: U.S. Attorney, Western District of Texas, Austin Division at 816 Congress Ave. Ste 100, Austin, Texas 78701 and that a copy was served at the inmate's prison institution to Warden Eric D. Wilson of Federal Medical Center, P.O. Box 15330, Fort Worth, Texas 76119.

By: \_\_\_\_\_

George Lewis Escamilla, Sr. #43385-080  
Federal Medical Center  
P.O. Box 15330  
Fort Worth, Texas 76119

CASE NO

A-08-CR 377-1(LY)

DEAR Clerk of COURT

I am an indigent inmate under pauper status,  
Please filed make a copy for me and  
return same. Appreciate your assistance  
with my legal matter.

Thank you.

Respectfully yours

DATE 1

GEORGE LEWIS ESCAMILLA, SR

# 43385-080

Federal Medical Center

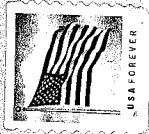
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FT WORTH, TX 76119

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WESTERN DISTRICT OF TEXAS  
BY [Signature] DEPUTY CLERK



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APR 18 2018

GEORGE LEWIS ESCAMILLA, SR.  
REG NO 43385-080  
FEDERAL MEDICAL CENTER  
P.O. BOX 15330  
FT WORTH, TX 76119

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U.S. COURTHOUSE  
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78701